

**REMARKS**

Claims 33 and 36 – 41 have been allowed. Claims 28 – 32 and 45 – 47 have been objected to as being dependent on a rejected base claim.

The Applicant submits that Claims 1 – 3, 5, and 7 are in proper order for issuance. Claims 4, 8 – 13, and 15 – 17 have now been amended to be consistent with base Claim 1 and are now in proper order for issuance. Claims 18 – 24 have been cancelled.

Claim 25 has been amended and now includes the limitations of Claims 28, 30 (before the current amendment), and 31 that were objected to but would be allowed if written in independent form and including all of the limitations of Claim 25. Accordingly, Claim 25 should now be allowable. Accordingly, Claims 28 and 31 have been cancelled.

Claim 29 has been amended to identify a specific foam stabilizer and thickener.

Claim 30 has been amended to identify the vegetable oil as being a crude vegetable oil.

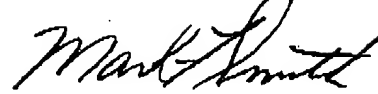
Claim 32 has been amended to conform to Claim 25.

Claim 35 has been amended and therefore should now be allowable.

Claim 42 have been amended to include all of the limitations of Claim 45 which was objected to but would have been allowed if written in independent form with all of the limitations of Claim 42. According Claim 42 should now be allowable and Claim 45 has been cancelled.

In view of the foregoing remarks, it is respectfully submitted that all of the Claims now pending are allowable over the art of record. Reconsideration of all claims now in this application is respectfully requested.

Respectfully submitted,



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### CLAIMS

1. (Previously Amended) An agricultural composition for producing a foam for use in protecting plants against frost or freezing temperatures consisting essentially of:
  - about 40% to about 90% by weight of vegetable oil;
  - an emulsifier; and
  - a foaming agent;wherein said vegetable oil is selected from the group consisting of coconut oil, corn oil, cottonseed oil, palm oil, rapeseed oil, soya oil, and sunflower oil.
2. (Previously Amended) The composition of Claim 1 wherein the composition is incorporated into water.
3. (Previously Amended) The composition of Claim 1 wherein said vegetable oil is a crude vegetable oil.
4. (Currently Amended) The composition of Claim 3 wherein said emulsifier ~~comprises~~ is a compound of silicone.
5. (Original) The composition of Claim 4 wherein said compound of silicone is a methylated silica polydimethylsiloxane.
6. (Previously Cancelled)
7. (Previously Amended) The composition of Claim 1 wherein said emulsifier is an alkyl oxyalkylate.
8. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ are n utralized alkyl sulfates.

9. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ are neutralized alkyl sulfonates.
10. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ are neutralized aryl sulfonates.
11. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ are neutralized alkyl sulfate and triethanolamine.
12. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ is an amine oxide.
13. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ is a quaternary ammonium compound.
14. (Previously Canceled)
15. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ is an aryl oxyalkylate.
16. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ is a hydrolyzed protein.
17. (Currently Amended) The composition of Claim 1 wherein said foaming agent ~~comprises~~ are oxyalkylates.
18. (Currently Canceled) ~~The composition of Claim 1 further comprising a carboxyalkylcellulose as a foam stabilizer.~~
19. (Currently Canceled) ~~The composition of Claim 1 further comprising a mucilage as a thickener.~~

20. (Currently Canceled) ~~The composition of Claim 1 further comprising a growth regulator.~~
21. (Currently Canceled) ~~The composition of Claim 20 wherein said growth regulator comprises an ethylene.~~
22. (Currently Canceled) ~~The composition of Claim 1 further comprising a pesticide.~~
23. (Currently Canceled) ~~The composition of Claim 22 wherein said pesticide comprises malathion.~~
24. (Currently Canceled) ~~The composition of Claim 22 wherein said pesticide comprises mineral oil.~~
25. (Currently Amended) A composition for producing a foam for use in protecting plants against frost or freezing temperatures ~~comprising~~ consisting essentially of: a pre-emulsion concentrate made up of ~~comprising~~ a crude vegetable oil, an emulsifier, and a foaming agent; ~~and~~ water; and one or more components selected from the group consisting of a foam stabilizer, a foam thickener, a plant growth regulator, a pesticide, sodium lauryl sulfate and triethanolamine; wherein said crude vegetable oil is selected from the group consisting of soya oil, coconut oil, corn oil, cottonseed oil, palm oil, rapeseed oil, and sunflower oil wherein said emulsifier is selected from the group consisting of alkyl, aryl, or glycol ethoxylate, propoxylate, butoxylate or sulfonate based emulsifiers; and wherein said foaming agent is selected from the group consisting of quaternary ammonium compounds, amine oxides, neutralized alkyl sulfates, neutralized alkyl and aryl sulfonates, hydrolyzed protein, and oxyalkylates.

26. (Previously Amended) The composition of Claim 25 wherein said emulsifier comprises a 3 mole ethylene oxide adduct of C12 and C14 alcohols.
27. (Original) The composition of Claim 25 wherein said emulsifier comprises about 30% to about 50% by weight of C12 alcohol and about 50% to about 70% C14 alcohol and wherein said C12 alcohol and said C14 alcohol are ethoxylated with 3 moles of ethylene oxide.
28. (Currently Cancelled) ~~The composition of Claim 25 wherein said composition further comprising sodium lauryl sulfate and triethanolamine.~~
29. (Currently Amended) The composition of Claim 25 wherein said ~~composition~~ further comprising a foam stabilizer and thickener is carboxyalkylcellulose and mucilage.
30. (Currently Amended) The composition of Claim 25 ~~further comprising a growth regulator~~ wherein said vegetable oil is a crude vegetable oil.
31. (Currently Cancelled) ~~The composition of Claim 25 further comprising a pesticide.~~
32. (Currently Amended) The composition of Claim 25 wherein said pre-emulsion concentrate is formed from ~~comprises~~ about 75% by weight of soya oil; about 20% by weight of said emulsifier comprising 3 mole ethylene oxide adduct of C12 alcohol and C14 alcohol; about 3% by weight of sodium lauryl sulfate; and about 2% by weight of triethanolamine.

33. (Original) A method of protecting plants from frost or freezing temperatures comprising the steps of:  
producing a pre-emulsion concentrate comprising a vegetable oil, an emulsifier and a foaming agent;  
mixing the pre-emulsion concentrate with water to form an oil and water emulsion;  
aerating the oil and water emulsion to form a foam; and  
applying the foam to the plants.
34. (Previously Withdrawn)
35. (Currently Amended) A method of spraying plants comprising the steps of:  
producing a pre-emulsion concentrate consisting essentially of about 40% to about 90% by weight of vegetable oil and an emulsifier selected from the group consisting of alkyl, aryl, glycol ethoxylate, propoxylate, butoxylate, and sulfonate based emulsifiers;  
mixing the pre-emulsion concentrate with water to form an oil and water emulsion; and  
applying the oil and water emulsion onto the surfaces of the plants.
36. (Previously Added) The method of Claim 33, wherein the vegetable oil is a crude vegetable oil.
37. (Previously Amended) The method of Claim 33, wherein the emulsifier is selected from the group consisting of alkyl, aryl, glycol ethoxylate, propoxylate, butoxylate, and sulfonate based emulsifiers.
38. (Previously Added) The method of Claim 33, wherein the foaming agent is selected from the group consisting of neutralized aryl sulfonates, neutralized alkyl sulfate and triethanolamine, aryl alcohol, hydrolyzed protein, and oxyalkylates.

39. (Previously Added) The method of Claim 33, wherein the emulsion includes a foam stabilizer.
40. (Previously Added) The method of Claim 33, wherein the emulsion includes a growth regulator.
41. (Previously Added) The method of Claim 33, wherein the emulsion includes a pesticide.
42. (Currently Amended) A method of treating plants comprising the steps of:  
producing a pesticide consisting essentially of about 40% to about 90% by weight of vegetable oil and an emulsifier; and  
placing the pesticide into water and applying the water and the pesticide to the surface of the plants;[.]  
wherein said vegetable oil is selected from the group consisting of coconut oil, cottonseed oil, palm oil, rapeseed oil, soya oil, and sunflower oil.
43. (Previously Added) The method of Claim 42, wherein the vegetable oil is a crude vegetable oil.
44. (Previously Cancelled)
45. (Currently Cancelled) ~~The method of Claim 42, wherein the vegetable oil is selected from the group consisting of coconut oil, cottonseed oil, palm oil, rapeseed oil, soya oil, and sunflower oil.~~
46. (Previously Added) The method of Claim 42, wherein the emulsifier is selected from the group consisting of alkyl, aryl, glycol ethoxylate, propoxylate, butoxylate, and sulfonate based emulsifiers.



47. (Currently Amended) The method of Claim 42, wherein the emulsion includes a plant growth regulator.